

**Testimony of Kevin R. Hennessy
Staff Attorney
Connecticut Business & Industry Association
Before the Judiciary Committee
Legislative Office Building
Hartford, CT
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My name is Kevin Hennessy. I am a staff attorney for the Connecticut Business and Industry Association (hereinafter "CBIA"). CBIA represents approximately 10,000 member companies in virtually every industry. They range from large, global corporations to small, family owned businesses. Approximately 90 percent of our member companies have fewer than 50 employees.

Thank you for the opportunity to comment on the following bills:

- **SB-641**, AAC *The Statute of Limitations for Medical Malpractice Actions with Respect to Acquired Brain Injury*;
- **SB-1026**, AAC *The Tolling of Time Periods for Bringing a Civil Action While Police Investigations are Pending*;
- **HB-6577**, AAC *The Tolling of the Statute of Limitations for a Negligence Action by a Minor*;
- **SB-1090**, AAC *the Collection and Disclosure of Social Security Numbers*;
- **SB-1030**, AAC *the Apportionment of Liability After a Claim is Withdrawn*;
and
- **SB-963**, AAC *the Connecticut Business Corporation Act*.

The following written testimony is separated by issue area.



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Extending Statutes of Limitations

CBIA opposes the following three bills that would extend the amount of time plaintiffs have to file a lawsuit. They are:

- **SB-641**, AAC *The Statute of Limitations for Medical Malpractice Actions with Respect to Acquired Brain Injury*;
- **SB-1026**, AAC *The Tolling of Time Periods for Bringing a Civil Action While Police Investigations are Pending*; and
- **HB-6577**, AAC *The Tolling of the Statute of Limitations for a Negligence Action by a Minor*.

CBIA opposes extending statutes of limitations because it unduly benefits plaintiffs while harming defendants. Statutes of limitations, the finite period of time an aggrieved person has to file a lawsuit, were adopted out of equity. They were created so potential defendants would not be subject to indefinite exposure to lawsuits.

Altering various statutes of limitations creates uncertainty for defendants. Specifically, extending statutes of limitations means that defendants do not know how long they might have to prepare to face civil litigation.

Most businesses today operate on strict budgets. Moreover, they have to forecast their budgets out for the next 3, 5 or 10 years. Extending various statutes of limitations creates uncertainty for many businesses and becomes an administrative burden.

Extending the statutes of limitations to benefit small interest groups is bad public policy. If the rules are altered for these groups today, which class of citizens will be next? Currently, the general formula is fair and simple. If you are injured due to someone else's negligence, you have two years from the date of the injury, *or reasonable discovery of the injury*, to recover damages. Rather than changing the current system for



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the benefit of a few, the Judiciary Committee and the General Assembly should reject such a change and retain the current system, which is just and equitable.

For the aforementioned reasons, CBIA urges you to reject:

- **SB-641**, *AAC The Statute of Limitations for Medical Malpractice Actions with Respect to Acquired Brain Injury*;
- **SB-1026**, *AAC The Tolling of Time Periods for Bringing a Civil Action While Police Investigations are Pending*; and
- **HB-6577**, *AAC The Tolling of the Statute of Limitations for a Negligence Action by a Minor*.